

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MUHAMMAD YASIN AND ZOHRA PARVEEN, SP 2014-MA-201 Appl. under Sect(s). 8-914 of the Zoning Ordinance to permit reduction of minimum yard requirements based on error in building location to permit accessory storage structure to remain 2.8 ft. from rear lot line and 2.0 ft. from side lot line, accessory structure to remain 1.2 ft. and a deck (patio) to remain 0.0 ft. from side lot line. Located at 3312 Glenmore Dr., Falls Church, 22041, on approx. 11,550 sq. ft. of land zoned R-3, HC. Mason District. Tax Map 61-2 ((9)) 4. Mr. Smith moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 8, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. With the support from surrounding neighbors and looking at the criteria under Sect. 8-914, the Board felt comfortable approving the deck to remain 0.0 feet from a side lot line.
3. The provision for the accessory structure remaining 1.2 feet from the side lot line was moot, as the applicant indicated the gazebo was moved to a conforming location.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:


1. This special permit is approved for the height and location of the accessory storage structure (shed) and deck as shown on the plat titled, "Special Permit / Variance Plat, Lot 4, Section Four," prepared by Willard Ross Dickerson, ACE Engineering, LLC, dated July 23, 2013, as revised through June 23, 2014, as submitted with this application and is not transferable to other land.
2. All applicable building permits shall be obtained for the accessory storage structure.

3. The applicant shall plant two evergreen trees within five (5) feet of the shed between Glenmore Drive and the shed as approved by UMFD of DPWES.

This approval, contingent upon the above-noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Beard seconded the motion, which carried by a vote of 4-1. Mr. Byers voted against the motion. Ms. Theodore was not present for the vote. Mr. Hart recused himself from the public hearing.

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals